Department of Planning, Housing & Infrastructure

Our ref: SSI- 48492458-PA-39

Andrew Sheed
Senior Project Manager
Akaysha Energy
Via Major Projects Portal

05/12/2024

Subject: Waratah Super Battery – Request for Extended Construction Hours

Dear Mr Sheed,

I refer to your letter dated 6 November 2024, requesting approval for extended construction hours for the Waratah Super Battery Energy Storage System (SSI-48492458) in accordance with Schedule 2, Condition B12 of the project approval. I also acknowledge your response to the Department's review comments and request for additional information.

The Department notes that on 26 August 2024 the Planning Secretary approved a variation to construction hours until 31 December 2024 (existing approval).

Your letter requests approval to carry out construction activities outside standard construction hours for the period 1 January 2025 to 31 May 2025 for the following additional hours:

- Saturday from 7am to 8am;
- Saturday from 1pm to 5pm; and
- Sunday from 7am to 5pm.

As noted in your response dated 29 November 2024, you are no longer seeking an extension of construction hours to work on Public Holidays.

I note from your advice that:

- The request is being sought to facilitate the timely delivery of the project following significant rainfall and other delays to the construction program;
- The timely delivery of the project is important to meeting energy security requirements;
- The request is accompanied by a noise impact assessment consistent with the requirements of the Interim Construction Noise Guideline (ICNG) (DECC, 2009);
- Feasible and reasonable mitigation measures have been proposed; and
- Consultation with resident has not been undertaken as construction hours would comply with the noise management levels in the ICNG.

The Department notes it has not been informed of any noise complaints associated with construction under the existing approval.

The Department also notes the provision of noise monitoring data completed under the existing and previous approvals.

Your initial request letter, noise impact assessment and response to our request for further information have been carefully reviewed. Accordingly, the Planning Secretary considers it appropriate to approve a variation to construction hours for the period 1 January 2025 to 31 May 2025 for the following additional hours:

- Saturday from 7am to 8am;
- Saturday from 1pm to 5pm; and
- Sunday from 7am to 5pm.

The approval is subject to the following:

1. For all noise monitoring completed under the existing approval and this approval, reports are to be consistent with the requirements of Section 8.2 of the ICNG and include:

    a. Details on each monitoring location, including receptor number, address and a figure showing the locations;

    b. The date and start time of each noise monitoring event;

    c. Confirmation that each attended noise monitoring event was 15 minutes in duration;

    d. The parameters of the results, including total LAeq and LA90 levels for each monitoring event. For monitoring undertaken during the night period (Sunday between 7am and 8am), the LA1,minute should also be reported.

    e. The estimated site-only noise contribution for each monitoring event reported as an LAeq(15minute). If construction noise is not audible during monitoring, this should be stated; and

    f. Weather conditions including wind speed and wind direction during monitoring.

2. Monthly attended monitoring to be carried out during extended construction work hours is to be undertaken and compared with model predictions. Records are to be consistent with the requirements in (1) above;

3. If any complaint is received, appropriate mitigation measures are to be identified, and the Department and the complainant are to be informed of the measures that will be implemented to address the complaint. Should any further complaints be received regarding works in the extended construction hours, this approval to extend the works hours may be revoked by the Department;

4. Where a complaint is received, attended monitoring should be undertaken to investigate the noise and reduce noisy activities as soon as feasibly actionable;

5. A record of any complaints made, or non-compliances identified during monitoring, regarding works undertaken during extended construction hours must be provided to the Department within 24 hours of the complaint/non-compliance; and

6. All work is to be undertaken in accordance with the requirements of Condition B13 of Schedule 2 of the project approval and all additional noise mitigation measures proposed in the noise impact assessment must be adopted and implemented.

If you wish to discuss the matter further, please contact Katie Weekes on (02) 4927 3223.

Yours sincerely



Iwan Davies
Director
Energy Assessments

As nominee of the Planning Secretary